

Atty Dkt. No.: 10010466-3
USSN: 10/810,396

REMARKS

Formal Matters

Claims 1-11 and 13-20 are pending. Claims 3, 10, 11, 14, 16, 18 and 20 are withdrawn by the Examiner. Claims 1, 2, 4-9, 13, 15, 17 and 19 were examined and rejected.

Claims 1, 4, 8, 13, 15, 17 and 19 are amended for clarity.

Applicants respectfully request consideration of the pending claims in view of the remarks made below.

Interview Summary

Examiner Lee is thanked for the telephonic interview with the Applicants' representative, James S. Keddie, on July 19, 2005.

It was agreed that the claims are not single means claims.

It was also agreed that if the body of the claims were amended to state that the ionization chamber recited in the claims was for a mass spectrometer ion source, the rejection under 35 U.S.C. § 103 over Mantkowski could be withdrawn.

Rejection of claims under 35 U.S.C. § 112-first paragraph

Claims 1, 2, 4-9, 13, 15, 17 and 19 were rejected as failing to meet the enablement requirement of 35 U.S.C. § 112, first paragraph. Specifically, the Office Action asserts that the claims are *single means* claims, and not a combination of elements.

As agreed during the aforementioned interview, the rejected claims are not single means claims. Accordingly, this rejection may be withdrawn.

Rejection of claims under 35 U.S.C. § 103

Claims 1, 2, 4-9, 13, 15, 17 and 19 are rejected under 35 U.S.C. § 103 as being unpatentable over Mantkowski (5,075,966).

The Applicants note that the body of each of the rejected claims recites "an ionization chamber for a mass spectrometer ion source"

The Applicants submit that an ionization chamber for a mass spectrometer ion source is not disclosed, taught, or fairly suggested by Mantkowski or otherwise provided in the reasoning set forth in the Office Action. Mantkowski's disclosure is directed to a rocket engine, not a mass spectrometer ion source.

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As such, the Applicants submit that the Office has failed to establish a *prima facie* case of obviousness.

In view of the foregoing discuss, this rejection may be withdrawn.

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CONCLUSION

The Applicants respectfully submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone Timothy Joyce at 650 485 4310.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1078.

Respectfully submitted,

Date: 7/25/05

By: James S. Keddie

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